

Appeal No. 2015-1080

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FEDERAL CIRCUIT**

MCRO, INC., DBA PLANET BLUE,

Plaintiff-Appellant,

v.

BANDAI NAMCO GAMES AMERICA INC., NAUGHTY DOG, INC.,
KONAMI DIGITAL ENTERTAINMENT, INC., SEGA OF AMERICA, INC.,
ELECTRONIC ARTS, INC., OBSIDIAN ENTERTAINMENT, INC., DISNEY
INTERACTIVE STUDIOS, INC., SQUARE ENIX, INC., NEVERSOFT
ENTERTAINMENT, INC., TREYARCH CORPORATION, CAPCOM USA,
INC., SONY COMPUTER ENTERTAINMENT AMERICA LLC, ATLUS
U.S.A., INC., SUCKER PUNCH PRODUCTIONS, LLC, INFINITY WARD,
INC., LUCASARTS, A DIVISION OF LUCASFILM ENTERTAINMENT CO.
LTD. LLC, WARNER BROS. INTERACTIVE ENTERTAINMENT, A
DIVISION OF WARNER BROS. HOME ENTERTAINMENT INC.,
ACTIVISION PUBLISHING, INC., BLIZZARD ENTERTAINMENT, INC.,
VALVE CORPORATION, CODEMASTERS USA GROUP, INC.,
CODEMASTERS SOFTWARE INC., CODEMASTERS, INC., AND THE
CODEMASTERS SOFTWARE COMPANY LIMITED,

Defendants-Appellees.

2015-1080, -1081, -1082, -1083, -1084, -1085, -1086, -1087, -1088, -1089, -1090,
-1092, -1093, -1094, -1095, -1096, -1097, -1098, -1099, -1100, -1101

**Appeals from the United States District Court
for the Central District of California in Nos. 2:12-CV-10322, 2:12-cv-10323,
2:12-cv-10327, 2:12-cv-10329, 2:12-cv-10331, 2:12-cv-10333, 2:12-cv-10335,
2:12-cv-10337, 2:12-cv-10338, 2:12-cv-10341, 2:12-cv-10342, 8:13-cv-01870,
8:13-cv-01874, 2:14-cv-00332, 2:14-cv-00336, 2:14-cv-00352, 2:14-cv-00358,
2:14-cv-00383, 2:14-cv-00389, 2:14-cv-00417, 2:14-cv-00439,
Judge George H. Wu.**

**APPELLEES' UNOPPOSED MOTION FOR A 60-DAY EXTENSION OF
TIME TO FILE APPELLEES' RESPONSIVE BRIEF**

Counsel listed in signature block

CERTIFICATE OF INTEREST

Counsel for Defendants-Appellees Bandai Namco Games America, Inc.; Sega of America, Inc.; Electronic Arts Inc.; Disney Interactive Studios, Inc.; Neversoft Entertainment, Inc.; Treyarch Corporation; Capcom USA, Inc.; Atlus U.S.A., Inc.; Infinity Ward, Inc.; LucasArts, a division of LucasFilm Entertainment Company Ltd. LLC; Warner Bros. Interactive Entertainment, a division of Warner Bros. Home Entertainment Inc.; Activision Publishing, Inc.; and Blizzard Entertainment, Inc. certifies as follows:

1. The full name of every party or amicus represented by us is:

Docket Number	Parties Represented
No. 15-1080	Bandai Namco Games America, Inc.
No. 15-1082	Sega of America, Inc.
No. 15-1083	Electronic Arts Inc.
No. 15-1085	Disney Interactive Studios, Inc.
No. 15-1087	Capcom USA, Inc.
No. 15-1089	Neversoft Entertainment, Inc.
No. 15-1090	Treyarch Corporation
No. 15-1092	Atlus U.S.A., Inc.
No. 15-1094	Activision Publishing, Inc. and Blizzard Entertainment, Inc.
No. 15-1095	LucasArts, a division of Lucasfilm Entertainment Company Ltd. LLC
No. 15-1097	Infinity Ward, Inc.
No. 15-1098	Warner Bros. Interactive Studios, a division of Warner Bros. Home Entertainment Inc.

2. The name of the real party in interest represented by us is:

None

3. All parent corporations and any public companies that own 10 percent or more of the stock of the parties represented by us are:

Docket Number	Parties Represented	All parent corporations and any public companies that own 10 percent or more of the stock of the party represented by us
No. 15-1080	Bandai Namco Games America, Inc.	Bandai Namco Holdings (USA) Inc.; Bandai Namco Holdings Inc.
No. 15-1082	Sega of America, Inc.	Sega Corporation; Sega Sammy Holdings Inc.
No. 15-1083	Electronic Arts Inc.	None
No. 15-1085	Disney Interactive Studios, Inc.	Disney Enterprises, Inc.; The Walt Disney Company
No. 15-1087	Capcom USA, Inc.	Capcom Co., Ltd.
No. 15-1089	Neversoft Entertainment, Inc.	Activision Publishing, Inc.; Activision Blizzard, Inc.; ASAC II LP
No. 15-1090	Treyarch Corporation	Activision Publishing, Inc.; Activision Blizzard, Inc.; ASAC II LP
No. 15-1092	Atlus U.S.A., Inc.	Atlus Co., Ltd.; Sega Corporation; Sega Sammy Holdings Inc.
No. 15-1094	Activision Publishing, Inc. and Blizzard Entertainment, Inc.	Activision Blizzard, Inc.; ASAC II LP
No. 15-1095	LucasArts, a division of Lucasfilm Entertainment Company Ltd. LLC	Lucasfilm Entertainment Company Ltd. LLC; Lucasfilm Ltd. LLC; The Walt Disney Company
No. 15-1097	Infinity Ward, Inc.	Activision Publishing, Inc.; Activision Blizzard, Inc.; ASAC II LP
No. 15-1098	Warner Bros. Interactive Studios, a division of Warner Bros. Home Entertainment Inc.	Warner Bros. Home Entertainment Inc.; Warner Bros. Entertainment Inc.; Warner Communications LLC; Historic TW Inc.; Time Warner Inc.

4. The names of all law firms and the partners or associates that appeared for the parties now represented by us in the trial court or are expected to appear in this Court are:

Docket Number	Parties Represented	Law Firms, Partners and Associates
No. 15-1080	Bandai Namco Games America, Inc.	Sonal N. Mehta, Edward R. Reines, Evan N. Budaj, Justin M. Lee Weil, Gotshal & Manges LLP
No. 15-1082	Sega of America, Inc.	Sonal N. Mehta, Edward R. Reines, Evan N. Budaj, Justin M. Lee Weil, Gotshal & Manges LLP
No. 15-1083	Electronic Arts Inc.	Sonal N. Mehta, Edward R. Reines, Evan N. Budaj, Justin M. Lee Weil, Gotshal & Manges LLP
No. 15-1085	Disney Interactive Studios, Inc.	Sonal N. Mehta, Edward R. Reines, Evan N. Budaj, Justin M. Lee Weil, Gotshal & Manges LLP
No. 15-1087	Capcom USA, Inc.	Sonal N. Mehta, Edward R. Reines, Evan N. Budaj, Justin M. Lee Weil, Gotshal & Manges LLP
No. 15-1089	Neversoft Entertainment, Inc.	Sonal N. Mehta, Edward R. Reines, Evan N. Budaj, Justin M. Lee Weil, Gotshal & Manges LLP
No. 15-1090	Treyarch Corporation	Sonal N. Mehta, Edward R. Reines, Evan N. Budaj, Justin M. Lee Weil, Gotshal & Manges LLP
No. 15-1092	Atlus U.S.A., Inc.	Sonal N. Mehta, Edward R. Reines, Evan N. Budaj, Justin M. Lee Weil, Gotshal & Manges LLP
No. 15-1094	Activision Publishing, Inc. and Blizzard Entertainment, Inc.	Sonal N. Mehta, Edward R. Reines, Evan N. Budaj, Justin M. Lee Weil, Gotshal & Manges LLP Jack B. Blumenfeld Rodger Dallery Smith, II Morris, Nichols, Arsht & Tunnell LLP

No. 15-1095	LucasArts, a division of Lucasfilm Entertainment Company Ltd. LLC	<p>Sonal N. Mehta, Edward R. Reines, Evan N. Budaj, Justin M. Lee Weil, Gotshal & Manges LLP</p> <p>Jack B. Blumenfeld Rodger Dallery Smith, II Morris, Nichols, Arsht & Tunnell LLP</p>
No. 15-1097	Infinity Ward, Inc.	<p>Sonal N. Mehta, Edward R. Reines, Evan N. Budaj, Justin M. Lee Weil, Gotshal & Manges LLP</p> <p>Jack B. Blumenfeld Rodger Dallery Smith, II Morris, Nichols, Arsht & Tunnell LLP</p>
No. 15-1098	Warner Bros Interactive Studios, a division of Warner Bros. Home Entertainment Inc.	<p>Sonal N. Mehta, Edward R. Reines, Evan N. Budaj, Justin M. Lee Weil, Gotshal & Manges LLP</p> <p>Jack B. Blumenfeld Rodger Dallery Smith, II Morris, Nichols, Arsht & Tunnell LLP</p>

CERTIFICATE OF INTEREST

Counsel for defendants-appellants Konami Digital Entertainment, Inc. and Square Enix, Inc. certifies the following:

1. The full name of every party or amicus represented by us is:

Docket Number	Parties Represented
No. 15-1081	Konami Digital Entertainment, Inc.
No. 15-1088	Square Enix, Inc.

2. The name of the real party in interest (if the party named in the caption is not the real party in interest) represented by us is:

N/A

3. All parent corporations and any publicly held companies that own 10% or more of the stock of the party or amicus curiae represented by us are:

Docket Number	Parties Represented	All parent corporations and any public companies that own 10 percent or more of the stock of the party represented by us
No. 15-1081	Konami Digital Entertainment, Inc.	Konami Digital Entertainment, Inc. is a subsidiary of Konami Corporation of America which, in turn, is a subsidiary of Konami Corporation, a publicly traded corporation. No other corporation is a parent or owns 10 percent or more of Konami Digital Entertainment, Inc.
No. 15-1088	Square Enix, Inc.	Square Enix, Inc. is a wholly owned subsidiary of Square Enix of America Holdings, Inc. which, in turn, is a wholly owned subsidiary of Square Enix

		Holdings Co., Ltd., a publicly traded corporation. No other corporation is a parent or owns 10 percent or more of Square Enix, Inc.
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4. The names of all law firms and the partners or associates that appeared for the party or amicus now represented by us in the trial court or are expected to appear in this court are:

Docket Number	Parties Represented	Law Firms, Partners and Associates
No. 15-1081	Konami Digital Entertainment, Inc.	Wendy J. Ray, Benjamin J. Fox, Vincent J. Belusko, Ashleigh K. Landis, Jason J. Lee* MORRISON & FOERSTER LLP
No. 15-1088	Square Enix, Inc.	Wendy J. Ray, Benjamin J. Fox, Vincent J. Belusko, Ashleigh K. Landis, Jason J. Lee* MORRISON & FOERSTER LLP

* *No longer with MORRISON & FOERSTER LLP*

CERTIFICATE OF INTEREST

Counsel for Defendants-Appellees Codemasters USA Group, Inc., Codemasters, Inc., and The Codemasters Software Company Limited certifies as follows:

1. The full name of every party or amicus represented by us is:

Docket Number	Parties Represented
No. 15-1100	Codemasters USA Group, Inc. and The Codemasters Software Company Limited
No. 15-1101	Codemasters, Inc. and The Codemasters Software Company Limited

2. The name of the real party in interest represented by us is:

None

3. All parent corporations and any public companies that own 10 percent or more of the stock of the parties represented by us are:

None

4. The names of all law firms and the partners or associates that appeared for the parties now represented by us in the trial court or are expected to appear in this Court are:

Docket Number	Parties Represented	Law Firms, Partners and Associates
No. 15-1100	Codemasters USA Group Inc. and The Codemasters Software Company Limited	Kevin W. Kirsch, Barry E. Bretschneider, Jared A. Brandyberry Baker & Hostetler LLP

Docket Number	Parties Represented	Law Firms, Partners and Associates
No. 15-1101	Codemasters, Inc. and The Codemasters Software Company Limited	Kevin W. Kirsch, Barry E. Bretschneider, Jared A. Brandyberry Baker & Hostetler LLP

FORM 9. Certificate of Interest**UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT**McRo, Inc. v. Bandai Namco Games America Inc.No. 15-10802015-1080, -1081, -1082, -1083, -1084, -1085, -1086, -1087, -1088, -1089, -1090, -1092, -1093, -1094, -1095, -1096, -1097, -1098, **CERTIFICATE OF INTEREST**
-1099, -1100, -1101Counsel for the (petitioner) (appellant) (respondent) (appellee) (amicus) (name of party)Appellees listed on the attached certifies the following (use "None" if applicable; use extra sheets if necessary):

1. The full name of every party or amicus represented by me is:
 Naughty Dog, Inc.; Sucker Punch Productions, LLC; Sony Computer Entertainment America LLC

2. The name of the real party in interest (if the party named in the caption is not the real party in interest) represented by me is:
 n/a

3. All parent corporations and any publicly held companies that own 10 percent or more of the stock of the party or amicus curiae represented by me are:
 Sucker Punch Productions, LLC and Naughty Dog, Inc. are wholly-owned subsidiaries of Sony Computer Entertainment America LLC, which is an indirect, wholly-owned subsidiary of Sony Corporation.

4. ☒ The names of all law firms and the partners or associates that appeared for the party or amicus now represented by me in the trial court or agency or are expected to appear in this court are:

B. Trent Webb, Tony Diab, Jamie Kitano, John D. Garretson, Lynn C. Herndon, Douglas Wayne Robinson and Beth Larigan of Shook, Hardy & Bacon LLP; Jonathan N. Zerger and Albert F. Harris III formerly of Shook, Hardy & Bacon LLP; and Jack B. Blumenfeld and Rodger Dallery Smith II of Morris, Nichols, Arsht & Tunnell LLP

3/4/15

Date

/s/ B. Trent Webb

Signature of counsel

B. Trent Webb

Printed name of counsel

Please Note: All questions must be answered
 cc: Counsel of Record

Appellees:

Naughty Dog, Inc.
Sucker Punch Productions, LLC
Sony Computer Entertainment America LLC

Form 9

FORM 9. Certificate of Interest

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

McRo, Inc. v. Namco Bandai Games America

No. 15-1080

CERTIFICATE OF INTEREST

Counsel for the (petitioner) (appellant) (respondent) (appellee) (amicus) (name of party)

Appellee Obsidian Entertainment, Inc. certifies the following (use "None" if applicable; use extra sheets if necessary):

1. The full name of every party or amicus represented by me is:

Obsidian Entertainment, Inc.

2. The name of the real party in interest (if the party named in the caption is not the real party in interest) represented by me is:

N/A

3. All parent corporations and any publicly held companies that own 10 percent or more of the stock of the party or amicus curiae represented by me are:

N/A

4. ☐ The names of all law firms and the partners or associates that appeared for the party or amicus now represented by me in the trial court or agency or are expected to appear in this court are:

Madison S. Spach, Jr., Thomas Walling, and Andrew Tsu of Spach, Capaldi & Waggaman, LLP

3/3/2015

Date

/s/ Andrew Tsu

Signature of counsel

Andrew Tsu

Printed name of counsel

Please Note: All questions must be answered

cc: _____

Form 9

FORM 9. Certificate of Interest**UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT**McRo, Inc. v. Valve CorporationNo. 15-1080**CERTIFICATE OF INTEREST**

Counsel for the (petitioner) (appellant) (respondent) (appellee) (amicus) (name of party)

Appellee certifies the following (use "None" if applicable; use extra sheets if necessary):

1. The full name of every party or amicus represented by me is:

Valve Corporation

2. The name of the real party in interest (if the party named in the caption is not the real party in interest) represented by me is:

None

3. All parent corporations and any publicly held companies that own 10 percent or more of the stock of the party or amicus curiae represented by me are:

None4. ☒ The names of all law firms and the partners or associates that appeared for the party or amicus now represented by me in the trial court or agency or are expected to appear in this court are:K&L Gates LLP: Jan P. Weir; David T. McDonald; Theodore J. Angelis; Joseph J. MellemaMarch 4, 2015

Date

/s/ Jan P. Weir

Signature of counsel

Jan P. Weir

Printed name of counsel

Please Note: All questions must be answered

cc: _____

**APPELLEES' UNOPPOSED MOTION FOR A 60-DAY EXTENSION OF
TIME TO FILE APPELLEES' RESPONSIVE BRIEF**

Appellees hereby move to extend the deadline for filing their responsive brief by 60 days, from April 13, 2015 to and including June 12, 2015. No previous extension has been sought by Appellees. Counsel for Appellant McRo, Inc., d.b.a. Planet Blue (“McRo”) has informed counsel for Appellees that Appellant does not oppose the requested extension and will not file a response to the request for an extension.

There is good cause for this extension. The additional time is necessary for counsel for Appellees to consider Appellant’s opening brief, as well as one or more *Amicus Curiae* briefs that are expected to be filed. Furthermore, due to the large number of Appellees (and counsel representing those Appellees), Appellees require additional time to coordinate amongst themselves to file a single responsive brief, as directed by the Court. The additional time will allow Appellees to prepare their briefing so as to be most helpful for the Court.

As noted above, counsel for the Appellant does not oppose this motion. Specifically, in discussing Appellant’s request for a 60-day extension on its opening brief (which this Court granted), the parties agreed to commensurate extensions of up to 60 days.

Appellees therefore respectfully request that the Court extend the deadline to file Appellees' responsive brief by 60 days to and including June 12, 2015. A proposed order is submitted herewith.

Dated: March 4, 2015

Respectfully submitted,

By /s/ Sonal N. Mehta

Sonal N. Mehta
WEIL, GOTSHAL & MANGES LLP
201 Redwood Shores Parkway
Redwood Shores, CA 94065
(650) 802-3000
sonal.mehta@weil.com

Attorneys for Defendants-Appellees
Bandai Namco Games America, Inc.; Sega
of America, Inc.; Electronic Arts Inc.;
Disney Interactive Studios, Inc.; Neversoft
Entertainment, Inc.; Treyarch Corporation;
Capcom USA, Inc.; Atlus U.S.A., Inc.;
Infinity Ward, Inc.; LucasArts, a division
of LucasFilm Entertainment Company Ltd.
LLC; Warner Bros. Interactive
Entertainment, a division of Warner Bros.
Home Entertainment Inc.; Activision
Publishing, Inc.; and Blizzard
Entertainment, Inc.

/s/ B. Trent Webb

B. Trent Webb
John D. Garretson
Beth A. Larigan
SHOOK, HARDY & BACON L.L.P.
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Attorneys for Defendants-Appellees
Naughty Dog, Inc., Sucker Punch
Productions, LLC and Sony Computer
Entertainment America LLC

/s/ Thomas E. Walling

Thomas E. Walling
Andrew D. Tsu
SPACH, CAPALDI & WAGGAMAN,
LLP
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Newport Beach, CA 92660
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Attorneys for Defendant-Appellee
Obsidian Entertainment, Inc.

/s/ Wendy J. Ray

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Benjamin J. Fox
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Los Angeles, CA 90017-3543
(213) 892-5200
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BFox@mofo.com

Attorneys for Defendants-Appellees
Konami Digital Entertainment, Inc. and
Square Enix, Inc.

/s/ Jan P. Weir

Jan P. Weir
Theodore J. Angelis
David T. McDonald
Joseph J. Mellema
K&L Gates LLP
12th Floor
1 Park Plaza
Irvine, CA 92614
(949) 253-0900
jan.weir@klgates.com

Attorneys for Defendants-Appellees
Valve Corporation

/s/ Kevin W. Kirsch

Kevin W. Kirsch

Jared A. Brandyberry

Barry E. Bretschneider

BAKER & HOSTETLER LLP

312 Walnut Street

Cincinnati, OH 45202

(513) 929-3499

kkirsch@bakerlaw.com

Attorneys for Defendants-Appellees

Codemasters, Inc., Codemasters USA

Group, Inc., The Codemasters Software

Company Limited

Appeal No. 2015-1080

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FEDERAL CIRCUIT**

MCRO, INC., DBA PLANET BLUE,

Plaintiff-Appellant,

v.

BANDAI NAMCO GAMES AMERICA INC., NAUGHTY DOG, INC.,
KONAMI DIGITAL ENTERTAINMENT, INC., SEGA OF AMERICA,
INC., ELECTRONIC ARTS, INC., OBSIDIAN ENTERTAINMENT, INC.,
DISNEY INTERACTIVE STUDIOS, INC., SQUARE ENIX, INC.,
NEVERSOFT ENTERTAINMENT, INC., TREYARCH CORPORATION,
CAPCOM USA, INC., SONY COMPUTER ENTERTAINMENT
AMERICA LLC, ATLUS U.S.A., INC., SUCKER PUNCH
PRODUCTIONS, LLC, INFINITY WARD, INC., LUCASARTS, A
DIVISION OF LUCASFILM ENTERTAINMENT CO. LTD. LLC,
WARNER BROS. INTERACTIVE ENTERTAINMENT, A DIVISION OF
WARNER BROS. HOME ENTERTAINMENT INC., ACTIVISION
PUBLISHING, INC., BLIZZARD ENTERTAINMENT, INC., VALVE
CORPORATION, CODEMASTERS USA GROUP, INC.,
CODEMASTERS SOFTWARE INC., CODEMASTERS, INC., AND THE
CODEMASTERS SOFTWARE COMPANY LIMITED,

Defendants-Appellees.

2015-1080, -1081, -1082, -1083, -1084, -1085, -1086, -1087, -1088, -1089, -1090,
-1092, -1093, -1094, -1095, -1096, -1097, -1098, -1099, -1100, -1101

**Appeals from the United States District Court
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2:12-cv-10327, 2:12-cv-10329, 2:12-cv-10331, 2:12-cv-10333, 2:12-cv-10335,
2:12-cv-10337, 2:12-cv-10338, 2:12-cv-10341, 2:12-cv-10342, 8:13-cv-01870,
8:13-cv-01874, 2:14-cv-00332, 2:14-cv-00336, 2:14-cv-00352, 2:14-cv-00358,
2:14-cv-00383, 2:14-cv-00389, 2:14-cv-00417, 2:14-cv-00439,**

Judge George H. Wu.

**DECLARATION OF SONAL N. MEHTA IN SUPPORT OF APPELLEES'
UNOPPOSED MOTION FOR A 60-DAY EXTENSION OF TIME TO FILE
APPELLEES' RESPONSIVE BRIEF**

I, Sonal N. Mehta, hereby declare as follows:

1. I am a partner at the law firm of Weil, Gotshal & Manges LLP. I am counsel for Appellees Bandai Namco Games America, Inc.; Sega of America, Inc.; Electronic Arts Inc.; Disney Interactive Studios, Inc.; Neversoft Entertainment, Inc.; Treyarch Corporation; Capcom USA, Inc.; Atlus U.S.A., Inc.; Infinity Ward, Inc.; LucasArts, a division of LucasFilm Entertainment Company Ltd. LLC; Warner Bros. Interactive Entertainment, a division of Warner Bros. Home Entertainment Inc.; Activision Publishing, Inc.; and Blizzard Entertainment, Inc. in this matter. I submit this declaration pursuant to Federal Circuit Rule 26(b) in support of Appellees' motion for a 60-day extension of time for filing their responsive brief in this appeal.

2. According to the Clerk's March 2, 2015 docket entry, Appellees' brief is currently due April 13, 2015. Appellees' motion seeks an extension of 60 days to and including June 12, 2015.

3. Appellees have not previously sought an extension for their responsive brief.

4. The additional time is necessary for counsel for Appellees to consider Appellant's opening brief, as well as any *Amicus Curiae* briefs that are subsequently filed. Furthermore, due to the large number of Appellees (and counsel representing those Appellees), Appellees require additional time to

coordinate amongst themselves in order to file a single responsive brief, as directed by the Court.

5. The additional time will give counsel for Appellees the necessary time to coordinate and prepare their responsive brief, and give the various Appellees the necessary time to approve the responsive brief for filing.

6. I have consulted with counsel for Appellant McRo, Inc., d.b.a. Planet Blue regarding the substance of this extension request. Counsel for Appellant has advised me that the Appellant does not oppose the grant of a 60-day extension.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: March 4, 2015

/s/ Sonal N. Mehta

Sonal N. Mehta

WEIL GOTSHAL & MANGES LLP

201 Redwood Shores Parkway

Redwood Shores, CA 94065

(650) 802-3118

Attorneys for Defendants-Appellees

Bandai Namco Games America, Inc.;

Sega of America, Inc.; Electronic Arts

Inc.; Disney Interactive Studios, Inc.;

Neversoft Entertainment, Inc.; Treyarch

Corporation; Capcom USA, Inc.; Atlus

U.S.A., Inc.; Infinity Ward, Inc.;

LucasArts, a division of LucasFilm

Entertainment Company Ltd. LLC;

Warner Bros. Interactive Entertainment,

a division of Warner Bros. Home

Entertainment Inc.; Activision

Publishing, Inc.; and Blizzard

Entertainment, Inc.

Appeal No. 2015-1080

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MCRO, INC., DBA PLANET BLUE,

Plaintiff-Appellant,

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BANDAI NAMCO GAMES AMERICA INC., NAUGHTY DOG, INC.,
KONAMI DIGITAL ENTERTAINMENT, INC., SEGA OF AMERICA,
INC., ELECTRONIC ARTS, INC., OBSIDIAN ENTERTAINMENT, INC.,
DISNEY INTERACTIVE STUDIOS, INC., SQUARE ENIX, INC.,
NEVERSOFT ENTERTAINMENT, INC., TREYARCH CORPORATION,
CAPCOM USA, INC., SONY COMPUTER ENTERTAINMENT
AMERICA LLC, ATLUS U.S.A., INC., SUCKER PUNCH
PRODUCTIONS, LLC, INFINITY WARD, INC., LUCASARTS, A
DIVISION OF LUCASFILM ENTERTAINMENT CO. LTD. LLC,
WARNER BROS. INTERACTIVE ENTERTAINMENT, A DIVISION OF
WARNER BROS. HOME ENTERTAINMENT INC., ACTIVISION
PUBLISHING, INC., BLIZZARD ENTERTAINMENT, INC., VALVE
CORPORATION, CODEMASTERS USA GROUP, INC.,
CODEMASTERS SOFTWARE INC., CODEMASTERS, INC., AND THE
CODEMASTERS SOFTWARE COMPANY LIMITED,

Defendants-Appellees.

2015-1080, -1081, -1082, -1083, -1084, -1085, -1086, -1087, -1088, -1089, -1090,
-1092, -1093, -1094, -1095, -1096, -1097, -1098, -1099, -1100, -1101

**Appeals from the United States District Court
for the Central District of California in Nos. 2:12-CV-10322, 2:12-cv-10323,
2:12-cv-10327, 2:12-cv-10329, 2:12-cv-10331, 2:12-cv-10333, 2:12-cv-10335,
2:12-cv-10337, 2:12-cv-10338, 2:12-cv-10341, 2:12-cv-10342, 8:13-cv-01870,
8:13-cv-01874, 2:14-cv-00332, 2:14-cv-00336, 2:14-cv-00352, 2:14-cv-00358,
2:14-cv-00383, 2:14-cv-00389, 2:14-cv-00417, 2:14-cv-00439,**

Judge George H. Wu.

**[PROPOSED] ORDER GRANTING APPELLEES' UNOPPOSED MOTION
FOR A 60-DAY EXTENSION OF TIME TO FILE APPELLEES'
RESPONSIVE BRIEF**

Appellees, having moved without opposition for a 60-day extension of time to file Appellees' responsive brief ("Appellees' Brief"), and good cause therefore being shown: IT IS HEREBY ORDERED that the motion be Granted. Appellees' Brief is now due on or before June 12, 2015.

FOR THE COURT

ECF-3(B)(2) REPRESENTATION

Pursuant to this Court's Administrative Order Regarding Electronic Case Filing, the undersigned represents under ECF-3(b)(2) that counsel for Defendants-Appellees Naughty Dog, Inc., Konami Digital Entertainment, Inc., Obsidian Entertainment, Inc., Valve Corporation, Codemasters USA Group, Inc., Square Enix, Inc., Codemasters, Inc., The Codemasters Software Company Limited, Sony Computer Entertainment America LLC, and Sucker Punch Productions, LLC, have consented to their signatures on the Certificates of Interest and this Unopposed Motion for a 60-Day Extension of Time to File Responsive Briefing.

Dated: March 4, 2015

/s/ Sonal N. Mehta

Sonal N. Mehta

WEIL GOTSHAL & MANGES LLP

201 Redwood Shores Parkway

Redwood Shores, CA 94065

(650) 802-3118

Attorneys for Defendants-Appellees

Bandai Namco Games America, Inc.; Sega of

America, Inc.; Electronic Arts Inc.; Disney

Interactive Studios, Inc.; Neversoft

Entertainment, Inc.; Treyarch Corporation;

Capcom USA, Inc.; Atlus U.S.A., Inc.; Infinity

Ward, Inc.; LucasArts, a division of LucasFilm

Entertainment Company Ltd. LLC; Warner Bros.

Interactive Entertainment, a division of Warner

Bros. Home Entertainment Inc.; Activision

Publishing, Inc.; and Blizzard Entertainment, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on March 4, 2015, I filed or caused to be filed copies of the foregoing with the Clerk of the United States Court of Appeals for the Federal Circuit via the CM/ECF system and served or caused to be served a copy on all counsel of record by the CM/ECF system and electronic mail.

Dated: March 4, 2015

/s/ Sonal N. Mehta
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LucasArts, a division of LucasFilm
Entertainment Company Ltd. LLC;
Warner Bros. Interactive Entertainment,
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Entertainment Inc.; Activision
Publishing, Inc.; and Blizzard
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